

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

03/08/2002 WABDEL R1 00000064 022275 10086206

01 FC:101		740.00 OP
02 FC:102	24.00 CH	312.00 OP
03 FC:103	144.00 CH	

03-01-92

#12/D

A
1002 U.S. PTO
10/086206

02/28/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification
of this Application:

Class: 435 Subclass: 252.31

Prior Application:

Examiner: Diana Johannsen

Art Unit: 1634

408.014-CON

Asst. Commissioner for Patents
Washington, D.C. 20231

SIR:

This is a request for filing a

[X] Continuation

application under 37 CFR 1.53

[] Divisional

of pending prior Application Serial No. 09/242,588

Filed on: May 20, 1999 Of: Juana Magdalena et al

For: FRAGMENTS OF NUCLEIC ACIDS SPECIFIC TO MYCOBACTERIA WHICH ARE MEMBERS OF THE M. TUBERCULOSIS COMPLEX AND THEIR APPLICATIONS FOR THE DETECTION AND THE DIFFERENTIAL DIAGNOSIS OF MEMBERS OF THE M. TUBERCULOSIS COMPLEX

1. [X] Enclosed is a copy of the prior application, including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy. (See 8 and 8a for drawing requirements).
2. [] Prepare a copy of the prior application.
3. [X] The Filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION,
LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW

<u>For</u>	<u>Number Filed</u>	<u>Number Filed</u>	<u>Rate</u>	<u>Basic Fee \$740.00</u>
		Excess of 20		
Total Claims	<u>28</u>	<u>8</u>	X \$18.00 =	<u>\$144.00</u>
Independent Claims	<u>5</u>	Excess of 3 <u>2</u>	X \$84.00 =	<u>\$168.00</u>
Multiple dependent claims	[] Yes \$280.00 [] No			<u>\$1052.00</u>

jc893 U.S. PTO
02/28/02

10086206-022802

4. [X] The Asst. Commissioner is hereby authorized to charge any fees which may be required, or to credit any over-payment to Account No. 02-2275. A duplicate copy of this sheet is enclosed.

[] I hereby certify that this correspondence is being deposited with the U.S. Postal Service as express mail No. EV 068843455 US in an envelope addressed to the Asst. Commissioner for Patents, Washington, D.C. 20231 on February 28, 2002.

Date: February 28, 2002


Charles A. Muserlian # 19,683

5. [X] PTO Form 2038 for \$ 1052.00 is enclosed.
6. [X] Cancel in this application original claims 2 to 27 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).
7. [] Amend the specification by inserting before the first line in the sentence;
This is a [] Continuation, [] Division of Serial No.
8. [] Transfer the drawings from the prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used before payment of base issue fee).
- 8a. [X] New formal drawings are enclosed.
- 8b. [X] Priority of application Serial No. 96/10277
Filed: August 19, 1996 in France
is claimed under 35 USC 119.
- 8c. [X] The certified copy has been filed in the prior application Serial No. 242,588 Filed May 20, 1999
9. [X] The prior application is assigned of record to 1) Institut Pasteur De Lille 2) Institut National De La Sante Et De La Recherche Medicale (INSERM)
10. [X] The power of attorney in the prior application is to any one of the following: Jordan B. Bierman, Reg. No. 18,629; Charles A. Muserlian, Reg. No. 19,683; Donald C. Lucas, Reg. No. 31,275; all of 600 Third Avenue, New York, N.Y. 10016; Registration No. 18,818; its attorney to file this Declaration with full power of substitution and revocation and to transact all business in the Patent Office connected therewith.

10086206-022802

100866206-022802

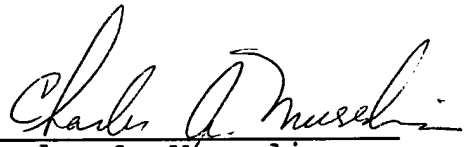
- a. [X] The power appears in the original papers of the prior application.
- b. [] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. [X] Recognize as associate attorney and address all future communications to:

Charles A. Muserlian, Reg. No. 19,683
c/o Bierman, Muserlian and Lucas
600 Third Avenue
New York, N.Y. 10016

- 11. [X] A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application).
- 12. [X] I hereby verify that the attached papers are a true copy of prior application Serial No. 09/242,588 as originally filed on March 20, 1999.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Date: February 28, 2002


Charles A. Muserlian
Reg. No. 19,683

Bierman, Muserlian and Lucas
600 Third Avenue
New York, N.Y. 10016

408.014-CON

"EXPRESS MAIL" Mailing Label Number EV 068843455 US

Date of Deposit: February 28, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" Service under 37 CFR 1.10 on the date indicated above and is addressed to Asst. Commissioner for Patents, Washington, D.C. 20231.



Charles A. Muserlian

10086206.022802
2002220" 9022802